Remarks/Arguments

Claims 1-22 are now pending in this application. In the January 5, 2007 Office Action, Claims 1-5, 7-10, 12-19, 21 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Piwonka et al., U.S. Patent No., 6,467,038, (hereinafter *"Piwonka"*) in view of *Teach Yourself Web Publishing with HTML 4 in a Week* (hereinafter *"Teach Yourself"*). Claims 6, 11 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Piwonka* in view of *Teach Yourself* as applied to claims 5, 10 and 19 respectively, and further in view of Hays et al., U.S. Patent No. 4,729,678, (hereinafter *"Hays"*). Several objections to formalities in the specification were also made.

By this response, no claims have been cancelled, added, or amended. Following entry of this response, claims 1-22 will be pending in the present application. For the reasons set forth below, the applicant respectfully requests reconsideration and immediate allowance of this application.

Amendments to the Specification

In the January 5, 2007 Office Action, the Examiner objected to the specification because of the informalities. In response, the applicant has herein amended the paragraph commencing at page 8, line 15, to line 20. No new matter has been added by way of these amendments. Accordingly, the applicant respectfully submits that all of the objections to the specification have been overcome.

Claim Rejections Under 35 U.S.C. 103(a)

In the January 5, 2007 Office Action, claims 1-5, 7-10, 12-19, 21 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Piwonka* in view of *HTML*. The applicant respectfully submits that *Piwonka* and *HTML* do not separately or together teach, suggest, or describe each recitation of these claims, even if combined in the manner suggested by the Office Action.

Claim 1

Claim 1 recites, *inter alia*, "when displaying the first string of the set, encountering and interpreting the first escape code by <u>a display engine of the BIOS</u> to determine the first format and generate the display of the first string with the portion of the first string displayed in the first format." As noted in Office Action at p. 2-3, "*Piwonka* does not explicitly disclose providing a first escape code within a first string of the set wherein the first escape code provides an indication of at least a portion of the first string that is to be displayed in a first format so that upon encountering and interpreting the first escape code by a display engine, the first format is determined and the first string with the portion of the first string in the first format is generated for display." As a result, the Office Action relies on *Teach Yourself* and contends that it teaches or suggests claimed recitations not taught or suggested by *Piwonka*. The applicant respectfully disagrees.

Teach Yourself discloses utilizing HTML formatting tags for formatting text displayed on <u>web pages</u>. Notwithstanding the clear differences between a BIOS and a web page, neither *Piwonka* nor *Teach Yourself*, individually or in combination, teaches or suggests "<u>a display engine of the BIOS</u>" for encountering and interpreting the first escape code. *Piwonka* at col. 26, lines 13-16 discloses "a ROM containing [a] system BIOS," but does not teach or suggest that the BIOS includes a display engine for encountering and interpreting the first escape code. *HTML* does not discuss a BIOS whatsoever.

Without providing any objective evidence or support, the Office Action conclusorily states that "[i]t would have been obvious to an artisan at the time of the invention to incorporate the method of HTML with the method of *Piwonka* in order to change the appearance of text or string so it is somehow different from the surrounding strings." (Office Action at p. 3). HTML is a well-established markup language used in the creation of web pages displayed on the World Wide Web. HTML has absolutely no relationship to the BIOS. It is respectfully submitted that <u>only</u> with improper conjecture, speculation, or hindsight gleaned from the applicant's disclosure can one come to the conclusion that *Teach Yourself* can be combined with the BIOS teachings of *Piwonka* in the manner suggested by the Office Action. As explained in the Background of the applicant's disclosure at p. 1, lines 30-31, "the display of text [in the BIOS] is very inflexible in that the BIOS code is not easily modified to change the particular format that may be used." As

such, simply adding HTML formatting tags to BIOS strings, without anything more, would be useless and unrecognizable by traditional BIOS computer code.

As previously described, *Teach Yourself* relates to using HTML formatting tags to format text in <u>web pages</u>. The applicant respectfully submits that *Teach Yourself* is unrelated to the claimed BIOS generated display of strings and that one of ordinary skill in the art interested in improving BIOS strings would <u>not</u> look to the field of web page generation for a solution. As such, *Teach Yourself* is non-analogous art. *See In re Wood*, 599 F.2d 1032, 1036, 202 USPQ 171, 174 (CCPA 1979) (noting that in determining whether a reference is non-analogous art, first decide whether the reference is in the inventor's field of endeavor, and if not, determine whether the reference is reasonably pertinent to the particular problem with which the inventor was involved).

As noted above and in the Background of the applicant's disclosure, the format of BIOS strings has traditionally been difficult to modify or change. *Piwonka*, for example, provides "the capability to show character strings on [a display] in at least two languages." (*Piwonka* at col. 6, lines 20-21). That is, *Piwonka* provides for <u>two separate</u> BIOS strings, a first string in a first language and a second string in a second language. However, *Piwonka* does not teach or suggest that either of the strings is presented in a modified format, as claimed herein. Thus, implicit in *Piwonka* is that the strings will be presented in a particular format as limited by the BIOS. The claimed invention provides for, among other things, the ability to easily change the format of BIOS strings, such as the strings disclosed in *Piwonka*. This ability is not available in the cited prior art, individually or in combination.

In view of the above, *Piwonka* and *Teach Yourself*, individually or in combination, do not teach, suggest, or describe each and every element of amended independent claim 1. The applicant therefore submits that this claim is in condition for immediate allowance. The applicant further submits that claims 2-8 are also patentable because they contain recitations not taught by *Piwonka* nor *Teach Yourself* and because these claims depend from allowable independent claim 1. Accordingly, the applicant submits that claims 1-8 are in condition for immediate allowance.

Claim 9

Claim 9 is rejected under similar rationale as claim 5, which depends from claim 1. As such, the rejections of claim 1 are addressed herein as applicable to claim 9.

Claim 9 recites, *inter alia*, "generating a display of a first string with <u>a display engine of the BIOS</u>, wherein at least a portion of the first string is displayed with a bold typeface." As noted above with respect to the Office Action at p. 2-3, "*Piwonka* does not explicitly disclose providing a first escape code within a first string of the set wherein the first escape code provides an indication of at least a portion of the first string that is to be displayed in a first format so that upon encountering and interpreting the first escape code by a display engine, the first format is determined and the first string with the portion of the first string in the first format is generated for display." As a result, the Office Action relies on *Teach Yourself* and contends that it teaches or suggests claimed recitations not taught or suggested by *Piwonka*. The applicant respectfully disagrees.

Teach Yourself discloses utilizing HTML formatting tags for formatting text displayed on <u>web pages</u>. Notwithstanding the clear differences between a BIOS and a web page, neither *Piwonka* nor *Teach Yourself*, individually or in combination, teaches or suggests "<u>a display engine of the BIOS</u>" for encountering and interpreting the first escape code. *Piwonka* at col. 26, lines 13-16 discloses "a ROM containing [a] system BIOS," but does not teach or suggest that the BIOS includes a display engine for encountering and interpreting the first escape code. *HTML* does not discuss a BIOS whatsoever.

The Office Action conclusorily states, without providing any objective evidence, that "[i]t would have been obvious to an artisan at the time of the invention to incorporate the method of HTML with the method of *Piwonka* in order to change the appearance of text or string so it is somehow different from the surrounding strings." (Office Action at p. 3). The Office provides no explanation, and it is entirely unclear from the references themselves why or how one of ordinary skill in art would utilize HTML code in a prior art BIOS. Implementing HTML formatting tags into a BIOS will likely require a non-trivial rewriting of BIOS code in order to parse and execute HTML code. As they stand now, prior BIOS versions will not recognize the HTML formatting tags and may generate error messages. It is respectfully submitted that <u>only</u> with improper conjecture, speculation, or hindsight gleaned from the applicant's disclosure can

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one come to the conclusion that *Teach Yourself* can be combined with the BIOS teachings of *Piwonka* in the manner suggested by the Office Action.

As previously described, *Teach Yourself* relates to using HTML formatting tags to format text in <u>web pages</u>. The applicant respectfully submits that *Teach Yourself* is unrelated to the claimed BIOS generated display of strings and that one of ordinary skill in the art interested in improving BIOS strings would <u>not</u> look to the field of web page generation for a solution. As such, *Teach Yourself* is non-analogous art.

As noted above and in the Background of the applicant's disclosure, the format of BIOS strings has traditionally been difficult to modify or change. *Piwonka* provides for <u>two separate</u> BIOS strings, a first string in a first language and a second string in a second language. However, *Piwonka* does not teach or suggest that either of the strings is presented in a modified format, as claimed herein. Thus, implicit in *Piwonka* is that the strings will be presented in a particular format as limited by the BIOS. The claimed invention provides for, among other things, the ability to easily change the format of BIOS strings, such as the strings disclosed in *Piwonka*. This ability is not available in the cited prior art, individually or in combination.

In view of the above, *Piwonka* and *Teach Yourself*, individually or in combination, do not teach, suggest, or describe each and every element of amended independent claim 9. The applicant therefore submits that this claim is in condition for immediate allowance. The applicant further submits that claims 10-14 are also patentable because they contain recitations not taught by *Piwonka* nor *Teach Yourself* and because these claims depend from allowable independent claim 9. Accordingly, the applicant submits that claims 9-14 are in condition for immediate allowance.

Claim 15

Claim 15 is rejected under similar rationale as claim 1. As such, the rejections of claim 1 are addressed herein as applicable to claim 9.

Claim 15 recites, *inter alia*, "wherein the BIOS when executed by the processor encounters and interprets the first escape code to determine the first format and generates the display of the first string on the display device with the portion of the first string displayed in the first format." As noted above with respect to the Office Action at p. 2-3, "*Piwonka* does not explicitly disclose providing a first escape code within a first string of the set wherein the first

escape code provides an indication of at least a portion of the first string that is to be displayed in a first format so that upon encountering and interpreting the first escape code by a display engine, the first format is determined and the first string with the portion of the first string in the first format is generated for display." As a result, the Office Action relies on *Teach Yourself* and contends that it teaches or suggests claimed recitations not taught or suggested by *Piwonka*. The applicant respectfully disagrees.

Teach Yourself discloses utilizing HTML formatting tags for formatting text displayed on web pages. Notwithstanding the clear differences between a BIOS and a web page, neither *Piwonka* nor *Teach Yourself*, individually or in combination, teaches or suggests "wherein the BIOS when executed by the processor encounters and interprets the first escape code to determine the first format and generates the display of the first string on the display device with the portion of the first string displayed in the first format." *Piwonka* at col. 26, lines 13-16 discloses "a ROM containing [a] system BIOS," but does not teach or suggest that the BIOS is configured to encounter or interpret the first escape code and to generate the display of the first string on the display device with the portion of the first string displayed in the first format. *HTML* does not discuss a BIOS whatsoever.

The Office Action conclusorily states, without providing any objective support, that "[i]t would have been obvious to an artisan at the time of the invention to incorporate the method of HTML with the method of *Piwonka* in order to change the appearance of text or string so it is somehow different from the surrounding strings." (Office Action at p. 3). Prior art BIOS programs are simply not configured to recognize HTML code. Trivially adding HTML code to a prior art BIOS will have no practical effect as the BIOS will not recognize the HTML code. Worse yet, the additional HTML code may cause significant errors in the BIOS. It is respectfully submitted that only with improper conjecture, speculation, or hindsight gleaned from the applicant's disclosure can one come to the conclusion that *Teach Yourself* can be combined with the BIOS teachings of *Piwonka* in the manner suggested by the Office Action.

As previously described, *Teach Yourself* relates to using HTML formatting tags to format text in web pages. The applicant respectfully submits that *Teach Yourself* is unrelated to the claimed BIOS generated display of strings and that one of ordinary skill in the art interested in improving BIOS strings would not look to the field of web page generation for a solution. As such, *Teach Yourself* is non-analogous art.

As noted above and in the Background of the applicant's disclosure, the format of BIOS strings has traditionally been difficult to modify or change. *Piwonka* provides for <u>two separate</u> BIOS strings, a first string in a first language and a second string in a second language. However, *Piwonka* does not teach or suggest that either of the strings is presented in a modified format, as claimed herein. Thus, implicit in *Piwonka* is that the strings will be presented in a particular format as limited by the BIOS. The claimed invention provides for, among other things, the ability to easily change the format of BIOS strings, such as the strings disclosed in *Piwonka*. This ability is not available in the cited prior art, individually or in combination.

In view of the above, *Piwonka* and *Teach Yourself*, individually or in combination, do not teach, suggest, or describe each and every element of amended independent claim 15. The applicant therefore submits that this claim is in condition for immediate allowance. The applicant further submits that claims 16-22 are also patentable because they contain recitations not taught by *Piwonka* nor *Teach Yourself* and because these claims depend from allowable independent claim 15. Accordingly, the applicant submits that claims 15-22 are in condition for immediate allowance.

Claims 7 and 21

Claim 7 recites "wherein the first format is an underlined typeface, the method further comprising displaying the portion of the first string in the underlined typeface <u>by controlling each bottom row pixel of each character of the portion</u>." Claim 21 recites "wherein the first format is an underlined typeface and wherein the BIOS generates the display of the portion of the first string in the underlined typeface <u>by controlling each bottom row pixel of each character of the portion</u>." *Piwonka* does not discuss underlining. *Teach Yourself* simply discloses the formatting tag <u> for underlining HTML text without disclosing how the underlining is achieved.

In view of the above, *Piwonka* and *Teach Yourself*, individually or in combination, do not teach, suggest, or describe each and every element of claims 7 and 21. The applicant therefore submits that these claims are in condition for immediate allowance.

Conclusion

In view of the foregoing amendment and remarks, the applicant respectfully submits that all of the pending claims in the present application are in condition for allowance. Reconsideration and reexamination of the application and allowance of the claims at an early date is solicited. If the Examiner has any questions or comments concerning this matter, the Examiner is invited to contact the applicant's undersigned attorney at the number below.

Respectfully submitted,

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Date: May 1, 2007

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